

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

VANDERBILT UNIVERSITY,

Plaintiff,

v.

SCHOLASTIC, INC., HOUGHTON MIFFLIN
HARCOURT PUBLISHING COMPANY, and
TED S. HASSELBRING,

Defendants.

Civil Action No. 3:18-cv-00046

Chief Judge Waverly D. Crenshaw, Jr.
Magistrate Judge Jeffery S. Frensley

JURY DEMAND

NOTICE AND REPORT OF MEDIATION

The parties conducted a mediation with Gayle Malone as the mediator on Friday, May 8, 2020. Because of the pandemic the mediation was conducted remotely via video conference. (The mediation was initially scheduled for May 4, but the storms in Nashville on May 3-May 4 caused some participants to lose power and thus lose their ability to connect into the mediation, so it was rescheduled for Friday, May 8.) The matter was not settled.

Dated: May 14, 2020

Respectfully submitted,

/s/ John W. Harbin

John W. Harbin (*pro hac vice*)
Mary Katherine Bates (*pro hac vice*)
Meunier Carlin & Curfman LLC
999 Peachtree Street NE, Suite 1300
Atlanta, GA 30309
jharbin@mcciplaw.com
kbates@mcciplaw.com

/s/ Edward H. Rosenthal

Nicole Bergstrom (*pro hac vice*)
Caren Decter (*pro hac vice*)
Edward H. Rosenthal (*pro hac vice*)
Viviane K. Scott (*pro hac vice*)
Frankfurt, Kurnit, Klein & Selz, P.C
28 Liberty Street
New York, NY 10005

Paige W. Mills #016218
Audrey J. Anderson #031910
Mary Leigh Pirtle #026659
Ashleigh Karnell #036074
Bass, Berry & Sims PLC
150 Third Avenue South, Suite 2800
Nashville, TN 37201
(615) 742-6200
pmills@bassberry.com
audrey.anderson@bassberry.com
mpirtle@bassberry.com
ashleigh.karnell@bassberry.com

Attorneys for Plaintiff Vanderbilt University

/s/ Benjamin E. Marks
David J. Lender (*pro hac vice*)
Benjamin E. Marks (*pro hac vice*)
Sara Lonks (*pro hac vice*)
Jessica Falk (*pro hac vice*)
Taylor Dougherty (*pro hac vice*)
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153
david.lender@weil.com
benjamin.marks@weil.com
sara.lonks@weil.com
jessica.falk@weil.com
taylor.dougherty@weil.com

Michael G. Abelow (No. 26710)
Sherrard Roe Voigt & Harbison, PLC
150 Third Avenue South, Suite 1100
Nashville, TN 37201
(615) 742-4200
mabelow@srvhlaw.com

*Attorneys for Defendant, Houghton
Mifflin Harcourt Publishing Company*

(212) 826-5524
cdecter@fkks.com
erosenthal@fkks.com
nbergstrom@fkks.com
vscott@fkks.com

Thor Y. Urness, #13641
Kimberly M. Ingram, #35191
Bradley Arant Boult Cummings LLP
Roundabout Plaza
1600 Division Street, Suite 700
Nashville, TN 37203
(615) 244-2582
turness@bradley.com
kingram@bradley.com

Attorneys for Defendant, Scholastic Inc.

/s/ Thomas H. Dundon
Thomas H. Dundon, #004539
Aubrey B. Harwell, Jr., #002559
Erik C. Lybeck, #035233
Neal & Harwell, PLC
1201 Demonbreun Street
Suite 1000
Nashville, TN 37203
(615) 244-1713
aharwell@nealharwell.com
tdundon@nealharwell.com
elybeck@nealharwell.com

Attorneys for Defendant, Ted S. Hasselbring

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been filed with the Clerk of the Court and served upon the counsel of record for this case via the Court's CM/ECF e-mail notification system on this 14th day of May 2020.

/s/ John W. Harbin
John W. Harbin